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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Yoko TATSUMI, et al.

Examiner: D. Johannsen

Serial No.: 09/582,554

Art Unit: 1655

Filed: June 28, 2000

For: A SUBSTANCE HAVING AN APOPTOSIS-INDUCING ABILITY

Commissioner for Patents
Washington, DC 20231

RESPONSE TO PAPER NO. 7

Dear Sir:

Responsive to the Office Action mailed February 26, 2002, Applicant herein makes provisional election as required by the Patent and Trademark Office.

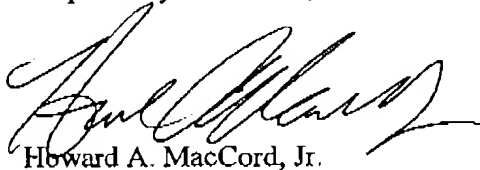
The Office Action also required an election of a single species of substance having "an apoptosis-inducing ability". For this species, applicant elects 4-(9-adeninyl)-2-cyclopenten-1-one. Claims 1,11 and 12 read on this species.

This election is made at the request of the Office Action; however, no such request is deemed to be needed, because Applicant is confident that the generic claims will be allowable, obviating the need to identify species. At any rate, this response is not related to the patentability but rather to the administrative processing of the Patent and Trademark Office and there is no narrowing of claims involved, so no file wrapper estoppel arises from this paper.

Examination on the merits is awaited.

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Respectfully Submitted,



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Date: March 28, 2002

File No.: 4629-006

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS DOCUMENT IS
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PATENT AND TRADEMARK OFFICE (FAX NO
(703) 872-9306) TO: EXAMINER Diana B.
Johannsen, ART UNIT 1634

ON March 28, 2002
(Date of Deposit)

Christian E. Carter
Name of Depositor

Christian E. Carter